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## **Cold Lake Marina Operations and Allocation Policy**

**POLICY NUMBER: 141-RC-12**

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Approval Date: \_\_\_\_\_

Revise Date: \_\_\_\_\_

Motion Number: . \_\_\_\_\_

Repeal Date: \_\_\_\_\_

Supersedes: \_\_\_\_\_

Review Date: \_\_\_\_\_

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### **1.0 Policy Intent**

The intent of the Marina Operations and Allocation Policy is to:

- 1.1 Promote the safe and efficient operation of the Cold Lake Marina and to provide equitable service for all boaters and the general public.
- 1.2 Confirm the City's commitment to the concept of sustainable development and protection of the environment, wildlife and human health by:
  - 1.2.1 Ensuring compliance with all applicable Federal, Provincial and Local Health and Safety and Environmental legislation, regulations, and authorizations.
  - 1.2.2 Working proactively with federal, territorial and Aboriginal governments, other relevant organizations, and the general public on all aspects of environmental protection
  - 1.2.3 Keeping employees, contractors, inspectors, land and water boards, appropriate governments and the public informed of any changes at the marina or with projects related to the marina.

### **2.0 Purpose**

The purpose of the Marina Operations and Allocation Policy is to:

- 2.1 Exercise management control over all marina facilities in such a manner as to minimize the risk to the boats, slips, environment, buildings and other structures.
- 2.2 Maximize the occupancy and revenues of the marina.

### **3.0 Policy Statement**

- 3.1 The Marina Operations and Allocation policy will provide a clear guide to Administration and Marina Users in regard to the safe and efficient operation of the

- Cold Lake Marina as well as a fair and transparent approach to the allocation of boat slips within the marina facility.
- 3.2 The Marina Operations and Allocation policy will also illustrate the City's commitment to the concept of sustainable development and the protection of the environment, wildlife and human health.
- 3.3 Marina User Fees
- 3.3.1 The development of Marina fees will follow the guidelines of the Recreation User Fee Policy No. 130-RC-11;
- 3.3.2 The City may consider additional fees which are not included in the Recreation User Fee Policy No. 130-RC-11 to cover costs that are incurred for:
- 3.3.2.1 Damage to City facilities while using the marina;
- 3.3.2.2 Staff resources required to clean up or repair any damage to the facility by users;
- 3.3.2.3 Costs for alterations of a facility to accommodate a user or activity;
- 3.3.2.4 Any costs incurred by the City that are not covered by the fee payment.

#### **4.0 Managerial Guidelines**

- 4.1 Definitions:
- 4.1.1 "Breakwater" refers to the wave barrier on the northwest side of the marina.
- 4.1.2 "Buy Rate" refers to the cost to the City to purchase and offer fuel to marina users inclusive of all charges (including but not limited to environmental or delivery fees).
- 4.1.3 "Casual Slip Rental" refers to slip rentals made on a casual basis. These rentals include daily, weekly, and monthly rentals and do not refer to seasonal or yearly slip rentals.
- 4.1.4 "Equipment" is defined as boat, car, trailer and all other personal material.
- 4.1.5 "Fuel Dock" refers to the pier area so designated where fuel for vessels can be purchased.
- 4.1.6 "Lease Agreement" refers to the moorage lease agreement between the Cold Lake Marina and the user.
- 4.1.7 "Marina" means all water, land, buildings and structures within the boundaries of the Cold Lake Marina facility.
- 4.1.8 "Marina Management" refers to the management of the City of Cold Lake Marina, its agents and representatives.
- 4.1.9 "Moorage" refers to a place for parking a vessel.
- 4.1.10 "Seasonal Slip Rental" refers to spaces that are left open each year for full year rental but are not guaranteed year after year like a yearly slip.
- 4.1.11 "Slip" means any properties or facilities owned by the City of Cold Lake which are capable of use for the slip or storage of vessels.

- 4.1.12 “Subleasing” means allowing a person other than the user of record to place his/her vessel in a leased slip, whether for rent, other consideration or no consideration at all.
  - 4.1.13 “User” is defined as any person using the Cold Lake Marina with the purpose of casual, seasonal, or yearly mooring of vessels or the launching of vessels from the marina.
  - 4.1.14 “Vessel” means every manner of water craft or other artificial contrivance designed for and capable of self-propulsion and as a means of water transportation.
  - 4.1.15 “Vessel of Record” means the vessel which has been solely authorized by the Marina to occupy a leased slip.
  - 4.1.16 “Waiting List” refers to those persons who have been documented as waiting on a first come first served basis to obtain a yearly slip rental at such time as such space becomes available.
  - 4.1.17 “Yearly Slip Rental” refers to boaters whose slip is available to them throughout the boating season on an ongoing basis.
- 4.2 Boat Owner Regulations:
- 4.2.1 Moorage Registration
    - 4.2.1.1 Marina users, whether on a seasonal, casual or yearly basis, must be registered and pay moorage fees in accordance with the Recreation User Fee Policy No. 130-RC-11. All fees must be paid in full prior to receiving access to the slip designated to the user.
  - 4.2.2 Launch Ramp Usage/Parking
    - 4.2.2.1 A launch ramp fee is implemented by the City of Cold Lake. Launch ramp fees are broken into two categories: Daily Launch Fee and Yearly Launch Fee.
    - 4.2.2.2 Yearly launch passes are available for purchase and must be displayed on the right hand side of the windshield of the boat for launching. Yearly launch passes are registered to a specific boat and are not to be passed back and forth between patrons. Failure to comply will result in removal of launching privileges.
    - 4.2.2.3 Launch fees are outlined in the Recreation User Fee Policy No. 130-RC-11.
  - 4.2.3 Subleasing
    - 4.2.3.1 Yearly Slip holders who wish to sublease their slip must notify the City or its agent as to when their slip will be vacant. A letter outlining the agreed upon timeframe for subleasing must be signed and dated by the yearly slip holder.
    - 4.2.3.2 Boat Owners that are interested in subleasing Marina Slips must notify the City or its designate and will be placed on a subleasing waitlist. The necessary boat information must be

provided to ensure appropriate subleasing slip allocations. The Subleasing Waitlist is only valid for one boating season. Names will be collected starting April 1 of each year.

- 4.2.3.3 Availability for subleasing slips will be on a two week (minimum) or four week (maximum) increment. Boat owners that are interested in more than the four week maximum must return to the bottom of the waitlist for the next available slip.
- 4.2.3.4 Fees for the subleasing of slips will be based on weekly or monthly fees outlined in the Recreation User Fee Policy. Subleasing revenue will be split 50/50 between the slip holder and the City. The slip holder's portion will be credited to their account to be used towards the following years annual slip fees. The credit is only applied if the slip is subleased for the period it was vacated. There is no guarantee that all vacated boat slips can be filled by boat owners interested in casual slips. Slips will be filled based on the order the vacancies are received and the size of the slip.
- 4.2.3.5 The slip owner remains responsible to pay their yearly slip fee prior to the boating season regardless of their anticipated absence in that season. The maximum amount to be credited to the slip holder's account may not exceed 75% of the yearly launch fee paid for that slip.
- 4.2.3.6 Credits accumulated for subleasing of a slip must be used in the next boating season or will be cleared by the City of Cold Lake.

## 4.2 Moorage of Boats

- 4.3.1 Vessels, when unattended, must be securely moored with adequate bow, stern and spring lines. No lines shall cross piers or finger piers or any other area that may be used for pedestrian movement within the Marina facility.
- 4.3.2 Marina users are responsible for adequate bumpers to protect their vessel and adjacent vessels.
- 4.3.3 No fixed or permanent fenders shall be attached to any pier or dock. No tires, carpeting or other moisture absorbing and retaining materials are to be used.
- 4.3.4 The City of Cold Lake reserves the right to secure any vessel that is improperly secured in an emergency situation or in the event that the owner cannot be contacted.
- 4.3.5 All users of the marina shall keep their vessel and pier/finger pier in the vicinity of their vessel, neat, clean, and orderly at all times.
- 4.3.6 All water sports equipment and lifejackets must be stored within the vessel. Items left on the pier/finger pier will be removed by marina staff. Such items will be retained in the Marina reception area to be claimed by the owner until the end of the boating season after which such items may be sold with funds received being applied toward marina operations.

- 4.3.7 Dinghies, rowboats, skiffs or other such vessels are not allowed on piers or pier fingers. They must be stowed on the user's vessel or if small enough, stored so as not to interfere with the regular slips of any vessel at the discretion of the City of Cold Lake.
- 4.4 Boat Maintenance
  - 4.4.1 Boat owners are permitted to perform normal upkeep on their vessel while moored within the marina. Examples of normal upkeep include washing, polishing, routine engine tune up, paint retouching and minor fiberglass repair.
  - 4.4.2 Major repair work or outfitting, spray painting, sandblasting, welding, burning or any other work that would impose a hazard or inconvenience is not permitted on slips.
- 4.5 Fuel Dock
  - 4.5.1 Fueling will be conducted in a safe manner to minimize damage to facilities and environment. Spill kits are located on the fueling dock in case of an accidental spill.
  - 4.5.2 Fueling of vessels at any other location within the Marina other than the Fuel Dock is prohibited. This shall be strictly enforced and users can be removed if not complied with.
  - 4.5.3 Mooring at the fuel dock other than for fueling is prohibited.
  - 4.5.4 Three payment methods are available for fuel purchasing and include:
    - 4.5.4.1 Credit Card pay-at-the-pump available 24 hours a day.
    - ~~4.5.4.2 Debit Card through the marina office available during regular office hours.~~
    - 4.5.4.2 Cash payments through the marina office available during regular office hours.
  - 4.5.5 The City will make reasonable efforts to ensure that there is adequate fuel for sale and will manage fuel inventory including documenting daily inspections and volumes and spill documents. Fuel sold by the City to owners of vessels is at a rate equal to the Buy Rate plus twenty percent (20%).
- 4.6 Optimum Utilization of Slip
  - 4.6.1. Vessels may be moved by the City of Cold Lake for the purposes of protecting life or property; to accommodate marina repairs, improvements, maintenance, construction or emergencies and when necessary to manage unapproved use of the facility with or without advance notice to or consent of vessel owner.
  - 4.6.2. Slip allocations are based on boat sizes. Depending on the sizes of the vessels each year, adjustments to slip allocations may be needed to most efficiently utilize marina space.
  - 4.6.3. Breakwater spaces will be reserved for large vessels including pontoon boats. Allocation of large boats may include breakwater moorage as the sole option.

- 4.6.4. All slips are property of the City of Cold Lake. Marina users will be assigned spaces which may or may not be the space provided in previous boating seasons.
- 4.6.5. The City reserves the right to limit boat sizes should it become necessary in order to ensure the optimum utilization of slips and to ensure the safe and effective movement of vessels within the marina.

## **5.0 Hours of Operations**

- 5.1 The marina office will open for the season no later than May 31<sup>st</sup> and will close on the Monday after the Thanksgiving holiday in October.
- 5.2 The marina office hours of operation shall be:
  - 5.2.1. Opening date to May 31<sup>st</sup>: 8:00 AM to 8:00 PM (Monday – Sunday);
  - 5.2.2. June 1<sup>st</sup> to August 31<sup>st</sup>: 8:00 AM to 10:00 PM (Monday – Sunday);
  - 5.2.3. September 1<sup>st</sup> to closing date: 8:00 AM to 8:00 PM (Monday – Sunday).
- 5.3 Night watch services will be begin each season on May 15<sup>th</sup> and end on the Monday after the Thanksgiving holiday in October.
- 5.4 Night watch services hours shall be 8:00 PM to 8:00 AM (Monday to Sunday).

## **6.0 Yearly, Seasonal, and Casual Slip Rental Procedures**

- 6.1 Yearly Slip Rentals
  - 6.1.1 Renewal letters will be mailed out to persons who held an annual slip rental in the previous year by January 20<sup>th</sup>.
  - 6.1.2 The deadlines for response by recipients of a renewal letter shall be:
    - 6.1.2.1 April 1<sup>st</sup> - Deadline to respond, with payment in full, to confirm slip use for that year;
    - 6.1.2.2 April 15<sup>th</sup> – Grace period deadline to respond, with payment in full plus additional 15% surcharge, to confirm slip use for that year;
    - 6.1.2.3 After April 15<sup>th</sup>, the annual slip rental will be forfeited, and released to the first person on the waiting list.
  - 6.1.3 Yearly user slip allocations could change on a year to year basis. Slip allocations are based on all vessels using the marina and will adjust as boat sizes change.
  - 6.1.4 Yearly slips are allocated based on the vessel of record. If a user intends on purchasing a new vessel, they must receive written confirmation that the Marina Management can properly facilitate a vessel change. Failure to receive written confirmation may result in the forfeiture of a yearly slip.
  - 6.1.5 If a user is granted confirmation that a new vessel can be properly allocated by Marina Management, this confirmation does not guarantee that the vessel will be allocated to the same slip as the previous year.
  - 6.1.6 Marina slips do not transfer with the sale of a vessel. When an individual is leaving the marina and is selling their vessel, they are also giving up their slip. The slip does not get sold with the vessel.
  - 6.1.7 Marina slips are non-transferable to anyone (including family members).

- 6.2 Seasonal and Casual Slip Rentals
  - 6.2.1 The City of Cold Lake will conduct a lottery system for the allocation of Seasonal and Casual Slips that are available each year. This lottery will allow the slips to be given out in the fairest way possible. This will further allow both local and out of town boaters the same chance in acquiring a slip.
  - 6.2.2 Ballots can be found on the City of Cold Lake website, at City Hall, and at the Energy Centre. Ballots must have all fields filled out correctly and only one ballot per household is permitted. The ballot name and address must be the same as the registered boat owner. Duplicate ballots will be destroyed. The locked ballot box will be located at the Cold Lake Energy Centre and ballots can be dropped off in person or sent by mail. The ballot submission date and draw date will be advertised in the local paper, on the local radio station, on the City's website, and through the City's social media site Facebook, a minimum of three weeks prior to the deadline. Submission after this date and time will not be accepted.
  - 6.2.3 On the deadline date the draws will be made, in public, and slips will be allocated according to order they are drawn. The boat owners that are drawn will be contacted by noon the following date by the contact numbers provided on the ballot only. The selected names will have 24 hours to confirm their slip, or they will lose their chance and another name will be drawn.
  - 6.2.4 Seasonal and Casual Slip rentals require payment in full to be made at the time of booking. Spaces will not be reserved prior to receiving payment in full.
  - 6.2.5 Individuals who are able to secure a slip in consecutive years may not be allocated the same slip as previous years.

## **7.0 Cancellations and Refunds**

- 7.1 All cancellations must be provided in writing or electronic format. A cancellation is not considered confirmed unless the contact person has received confirmation that the City has received the request.
- 7.2 All yearly or seasonal cancellations will be prorated **and for the purpose of calculating refunds**, the number of days the City will use May 15<sup>th</sup> to September 30<sup>th</sup>. Yearly users who cancel their slip for any reason during one boating season will be forfeiting future yearly rights to that slip.
- 7.3 All casual marina users must provide the City written notice of cancellation one week prior to the first date of the booking. All cancellations made after this date will be charged regular moorage rates.
- 7.4 The City will cancel a booking should there be a breach of this policy, its conditions, rules or regulations, or if the City is of the opinion that the facilities are not being used for the purposes requested.
- 7.5 The City reserves the right to cancel bookings for special City events and/or maintenance (example could be for the moorage of a search and rescue vessel

during an air show). In such instances the City will refund any fees paid for the cancelled facility allocation.

- 7.6 In the event of a City initiated cancellation, the users will be contacted as soon as possible and informed of the cancellation through verbal, written, or electronic means.
- 7.7 The City assumes no liability for cancelled allocations.

## **8.0 User Requirements**

- 8.1 All users require the following in order for their allocation to be confirmed.
  - 8.1.1 Payment in full
  - 8.1.2 Name, address, phone number.
  - 8.1.3 Length, beam, year and make of the vessel being moored
  - 8.1.4 Signed rental contract
  - 8.1.5 Proof of insurance
  - 8.1.6 Hull Identification Number
- 8.2 All paperwork must be in the name of the yearly slip user.

## **9.0 Wait List**

- 9.1 With demand for slips exceeding supply, all users wishing to receive yearly slip rental privileges must do so via the wait list. The wait list process includes:
  - 9.1.1 Payment in full of a \$100 deposit.
  - 9.1.2 Completed wait list application form.
  - 9.1.3 Once a space is available for the user, the entire deposit is applied to the first year's moorage fee.
  - 9.1.4 Should the applicant withdraw from the wait list prior to being allocated a slip, the wait list deposit will be refunded less a \$50 administrative fee.
  - 9.1.5 In the event that the vessel of record is owned jointly, the partnership must be declared and the names of the partners recorded at the time of application. If the partnership were to terminate, the partners must agree in writing on which individual will remain on the wait list. Should the partners fail to come to an agreement on who will remain on the wait list, the space will be forfeited and the deposit will be refunded less \$50 for an administration fee.
  - 9.1.6 Applicants are responsible for providing written notice to Marina Management with respect to current contact information.
  - 9.1.7 Each season, beginning on March 16<sup>th</sup>, users from the top of the wait list will begin to be allocated to spaces where available.
  - 9.1.8 Slip allocations will be made based on availability for the size of boat. If the first person on the waiting list has a vessel that is improperly sized for the first available slip, and if no other adjustments can be made to vessel allocation in the marina to accommodate the size, the next vessel on the wait list will be allocated. The user with the vessel that is improperly sized will remain at the top of the wait list for future spaces.



- 9.1.9 Marina Management will make every effort to contact wait list users when vacant spaces are available. The steps taken to contact the wait list member will include:
  - 9.1.9.1 Telephone Communication
  - 9.1.9.2 Electronic Mail
  - 9.1.9.3 Written Communication if unreachable by telephone or electronic mail
- 9.1.10 If these attempts to contact the user fail within 15 days of the postmarked date of the letter, the next person on the wait list will be contacted and the user who was unsuccessfully contacted will remain in the queue as the next person on the wait list for future slips.
- 9.1.11 If the user is not prepared to accept a slip allocation for any reason, they will be placed at the bottom of the waiting list at no additional fee or may request that they are refunded their wait list deposit less \$50 for an administration fee.
- 9.1.12 When an applicant accepts a slip allocation from the wait list, they will be required to provide all necessary documentation including proof of ownership and proof of insurance on the vessel of record along with payment in full for the current boating season. If the user does not own a vessel, they will be granted 30 days to provide satisfactory documentation of ownership or risk forfeiting their slip allocation.

## **10.0 Facility Rules and Regulations**

- 10.1 The following rules and regulations apply to all users of the Cold Lake Marina
  - 10.1.1 Respect City personnel.
  - 10.1.2 Consumption of alcoholic beverages is not permitted. Individuals caught consuming alcohol will be reported to the local law enforcement authorities and may have future facility privileges revoked.
  - 10.1.3 Rowdiness and loitering is not permitted on the marina grounds.
  - 10.1.4 Malicious and deliberate damage to the facility and/or equipment will not be tolerated. Offenders will be reported to the proper authorities, required to pay for repairs and will be suspended from future use of the facility until determined by management.
  - 10.1.5 The City is not responsible for lost, damaged or stolen property belonging to marina users or the general public.
  - 10.1.6 The User is responsible to the City for any damages or loss of City owned property and will pay such damages.
  - 10.1.7 Abusive, derogatory, or obscene language will not be tolerated.
  - 10.1.8 The City will not be responsible for personal injury caused by the negligence of marina users or the general public.
  - 10.1.9 Failure to comply with facility rules may result in suspension or outright removal of facility privileges in which case any prepaid slip rental or launch fee will not be refunded.

### **11.0 Persons Affected**

All employees of the City Hall are affected by this policy or responsible for its implementation, Recreation Department, Cold Lake Sailing Association, Marina Users Group, General Public

### **12.0 Revision/ Review History**

- August 26, 2014, Motion No. CM20140826.1010
- Reviewed March 27, 2018 – CM20180327.1017. Moved by Councillor Vining that Council direct Administration to extend the March 15, 2018 birth slip renewal deadline to April 15, 2018. Amended and Added Sections: 5.0, 6.1.1-6.1.2.3, 6.17 and 8.2,
- Revised July , 2019- CMS2019XXXX.XXXX
  - Section 4.12 insert "Buy Rate" Definition
  - Section 4.5.4.2 replaced
  - Section 4.5.5 inserted "Buy Rate plus 20%
  - Section 7.2 amended

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Date

\_\_\_\_\_  
Chief Administrative Officer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor